

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

GREGORY WAYNE LOCKRIDGE,

Plaintiff(s),

vs.

NEVADA INTERSCHOLASTIC ACTIVITIES  
ASSOCIATION, et al.,

Defendant(s).

Case No. 2:14-cv-00049-GMN-NJK

**ORDER**

(Docket No. 2)

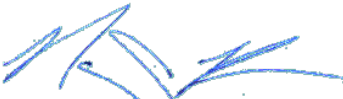
Pending before the Court is Defendant Nevada Interscholastic Activities Association's motion to quash service of process. Docket No. 2. The Court hereby **GRANTS** the motion. Where a plaintiff has submitted his complaint in conjunction with an application to appear *in forma pauperis*, the case is not deemed "commenced" for service of process purposes until the Court rules on the application to proceed *in forma pauperis* and orders the complaint to be deemed filed. *See, e.g., Ecret v. Diamond*, 2007 WL 2743432, \*2 (W.D. Wash. Sept. 17, 2007) (quoting *Williams-Guice v. Bd. of Educ. of the City of Chicago*, 45 F.3d 161, 162 (7th Cir. 1995)); *see also* 28 U.S.C. § 1915(a)(1) (the court "may authorize the commencement" of the law suit upon granting an application to proceed *in forma pauperis*). In the event the Court grants the application to proceed *in forma pauperis* and orders the complaint to be deemed filed, then the Court also orders that service will be completed in conjunction with the United States Marshal's Office. *See, e.g., Jenkins v. Lab. Corp. Of Am.*, 2013 U.S. Dist. Lexis 118008, \*6-7 (D. Nev. Aug. 20, 2013).

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1 The Court has not ruled in this case on Plaintiff's application for leave to appear *in forma pauperis*,  
2 so Plaintiff's attempted service is premature. In the event the Court grants the application to proceed *in*  
3 *forma pauperis* and orders the complaint to be deemed filed, the Court's order will provide an appropriate  
4 time to complete service.

5 IT IS SO ORDERED.

6 Dated: February 3, 2014

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11 NANCY J. KOPPE  
12 UNITED STATES MAGISTRATE JUDGE  
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